4.

MR. *FOX'S*

TWO SPEECHES,

On Tuesday, March 2, 1790,

ON THE

CORPORATION AND TEST ACTS.

[Price Two SHILLINGS.]

2.26.5

TWO SPEECHES,

DELIVERED IN THE

HOUSE OF COMMONS,

ON

TUESDAY the 2d of *March*, 1790,

BY

THE RIGHT HONOURABLE

CHARLES JAMES FOX,

IN SUPPORT OF

HIS MOTION FOR A REPEAL

OF THE

CORPORATION and TEST ACTS.

LONDON:

PRINTED FOR J. DEBRETT, PICCADILLY.

M DCC.XC.

BRITISH MUSEUM

MR. *FOX*'S

TWO SPEECHES,

On Tueſday, March 2, 1790.

MR. FOX moved, That the Act of the thirteenth of Charles the Second, for the well governing and regulating of Corporations, and the Act of the twenty-fifth of the ſame King, for preventing dangers which may ariſe from Popiſh Recuſants, and others, might be read:

The ſame having been read accordingly, by the Clerk at the Table, Mr. Fox moved for leave to make a Motion, and this having been granted, he roſe, and obſerved:

THAT, as the important points which he muſt beg leave earneſtly to ſubmit to the diſpaſſionate inveſtigation and juſt deciſion of the

 Houſe,

Houſe, had excited the anxious attention of a vaſt multitude of his fellow-ſubjects, it became his duty to ſtate the motives which inclined him to venture upon the preſumption of taking the lead in the debate. It was, certainly, an obtruſion, in ſome degree repugnant to his wiſhes, which muſt have been more effectually fulfilled, if the lot of coming firſt and particularly forward, at a juncture of ſuch extraordinary moment, had fallen upon an Honourable Gentleman (Mr. Beaufoy) who, at a former period, became a leader in the cauſe; and of whom it was no compliment to aſſert that, being poſſeſſed of ſuperior information, he could have done it more ample juſtice than himſelf. For the reaſons which prevented this Honourable Gentleman from advancing the moſt conſpicuouſly of all others, to the ground where Truth and Liberty would have arranged themſelves in favour of his arguments, he ſhould not aſſume the curioſity of enquiring; nor, indeed, was he deſirous to know their nature. Extremely gratified as he muſt have proved, by availing himſelf of a *repeated* opportunity to give *his* cordial ſupport to a motion

ſimilar

ſimilar to that in agitation, had it proceeded from the Honourable Gentleman, he ſhould not heſitate to confeſs that, when he was choſen by a Body of ſuch reſpectability and conſequence in the State, as one worthy to be truſted with the execution of their commands, he felt a ſatisfaction of the higheſt kind; a ſatisfaction intermingled with a conſcious triumph, and not, he flattered himſelf, a reproachable vanity, at diſcovering that thoſe very perſons from whom, *hitherto*, he had received no obligations, and who had declared themſelves inimical to the general ſyſtem of his politics, *now* deemed it proper to make *him* their advocate, and to require that, with the force of freedom and of reaſon upon his ſide, he ſhould appear in their defence. Might he not, from theſe circumſtances, preſume to hope that they had, at length, regarded his conduct with approbation; that they looked up to him, as a diſintereſted friend; and were induced to turn to him under the impreſſions of the moſt favourable ſentiments? They would not, he was perſuaded, illiberally conceive that, on the preſent occaſion, he had enliſted himſelf into their ſervice, leſs

from a zealous attachment to the broad principles of liberty and juſtice, than from a ſordid anxiety to conciliate their eſteem and to acquire their ſupport. He was well aware that if he could harbour in his breaſt the mean propenſity of yielding to ſuch an impulſe as the latter, he ſhould create againſt himſelf a number of enemies, or, which he muſt conſider as infinitely worſe, loſe ſeveral of his friends and adherents. In attending to the requiſition of the Diſſenters, he meant, alſo, to convince the Public that he had not relaxed from his determination, at every criſis, to eſpouſe a cauſe the invaluable intereſts of which he had, upon all occaſions within his reach, moſt warmly and ſincerely endeavoured to defend. The Houſe would pleaſe to excuſe him for having thus long, and, perhaps, thus unavoidably, occupied their attention upon a ſubject ſo unimportant as himſelf. He ſhould, now, entreat their permiſſion to direct it to more intereſting topics, amidſt the inveſtigations of which he deſigned to avoid, as much as the peculiarity of the circumſtances of the caſe in queſtion could permit, the introduction of extraneous matter.

matter. If he ſhould become, at times, diffuſe, during the progreſs of his inquiries, it muſt be aſcribed not ſo much to the difficulty as to the importance of the ſubject.

The ingenuity of the human mind would, doubtleſs, be extremely puzzled in the attempt to fix upon two points either more ignorantly miſunderſtood, or more wilfully misrepreſented than the *actual* meaning and the *avowed* principles of Toleration. The origin of religious Toleration was of a recent date, indeed; and, although it may have been theoretically adverted to, at an earlier period, not many years were as yet elapſed ſubſequently to its having been carried into practice. As erroneous was the general manner of defining the word Perſecution. But, it behoved the Houſe not to ſuffer their underſtandings to be ſeduced away by vague expreſſions, or by imaginary deſcriptions. If they adverted to the firſt ages of mankind, when all was ſunk in ignorance, barbariſm and corruption, inſtead of indiſcriminately fixing upon fanciful concluſions, they would aſcend to firſt principles; and thence diſcover that perſecution, and not Toleration,

was

was the grand excitement to the public commiſſion of the moſt atrocious crimes. To this ſource might be traced the maſſacre, on the feaſt of Saint Bartholomew, at Paris, and the burning of the pretended heretics, in Smithfield. The great and horrible fundamentals of perſecution were, that the tenets of religion and the modes of worſhip, which differred from our own, could not be otherwiſe than wicked; and, therefore, merited extirpation. Infected by theſe ſentiments, the Roman Catholics of a *former* æra were violently intent on perſecution; and arguments, deteſtably abhorrent, were maintained as the apologies for the deſtruction of forty thouſand innocent victims to the ſanguinary doctrines of bigotted enthuſiaſts.

Were he to give the oppoſers of the repeal their firſt principle; and ſhould they argue that if, originally, the flouriſhing ſtate of the Church owed its continuance to perſecution, a neceſſity might, ſtill, exiſt for enforcing it, he would anſwer that, upon falſe grounds, madneſs itſelf can act with conſiſtency; but that a wiſe and poliſhed nation ſhould diſdain

to

to proceed fundamentally wrong, becauſe either caprice or chance may have furniſhed them with the bare ſhadow of an argument in their behalf.

A moſt abſurd, and, as a natural conſequence of great abſurdity, an inextinguiſhable doctrine of perſecution was that one man may entertain a leſs fallible opinion of the mind of another than he can form himſelf. Yet, ſurely, this idea could never taint the prolific humility and the exemplary virtues of modern Chriſtians. Religion was even more than the peculiar medicine of our own minds; it was intended to be uſed by us in the adminiſtration of relief to our fellow creatures; but the ſyſtem of intolerance perverted all the ſalutary ends of *true* religion, and, inſtead of guiding men to freedom and the felicities of life, conducted them to impriſonment, to torture, and to death! Of Religion (pure and *tolerating* Religion!) the bright and ſtriking contraſt to this diſguſting and falſe appearance of it, one of the ſynonymous terms was *Charity*.

The oppoſers of the repeal were, certainly, reduced to this alternative. Either they muſt

contend

contend for perſecution, or reaſon in ſupport of Toleration. Why, therefore, did they ſcruple to declare a principle which, whether of an odious, or of a conciliating caſt, muſt inevitably apply itſelf to the nature of the preſent queſtion? If they came forward as the unfeeling advocates for perſecution, they met their own indelible diſgrace; but, if their arguments were hoſtile to its exiſtence, it followed, of neceſſity, that they muſt have ſpoken in favour of Toleration: and ſuch reaſoning was conſonant to the nobleſt principles of uncorrupted nature, of genuine religion, and of highly cultivated philoſophy!

He was ready to admit that perſecution originated in a miſtaken kindneſs; and that the infatuated zealots by whom it was enforced, conceived that, without an abſolute belief in certain articles, neither the temporal nor the eternal intereſts of their fellow-creatures could poſſibly be ſecured. With this idea, they regarded even the moſt ſeverely-exerted act of compelling others to embrace doctrines which they deteſted, as a ſpiritual obligation. Granting that the motive preſented itſelf in a laud-

able

able point of view to thoſe ill-judging bigots who were actuated by its nature, he ſhould not conſider himſelf as led away, in conſequence of this poſition, from his invincible opinion, that every ſpecies of perſecution, whether civil or religious, was deteſtable.

Deeply impreſſed with this ſentiment, he could not fear to proceed farther, and aſſert, that none of the fires which were kindled in Smithfield, nor even one of the executions and the depredations which, in the hour of frantic vengeance, were committed by the French populace, preſented to us more ſtrong and more alarming inſtances of perſecution than the principle maintained, with active obſtinacy, by ſome Churchmen, that it was juſt and becoming to make particular Bodies liable to penalties, and and to keep them conſtantly ſubject to incapacities, for their religious opinions. It was this kind of perſecution, accompanied by an abominable multitude of different oppreſſions, which had driven France to a ſpirited and ſucceſsful reſiſtance: to an entire re-inveſtigation, and to an ample and moſt deciſive aſſertion of the rights of human nature. Her proceedings, as much

as they effected that part of her Conſtitution in which Religion was immediately concerned, far from meriting reprobation, poſſeſſed indubitable claims to the applauſe and the eſteem of all her ſubjects, and of ſurrounding ſtates: they conſtituted a full and enlightened inquiry reſpecting firſt principles; and they led, rapidly, but not erroneouſly, to the extirpation of that ſpirit of intolerance and perſecution which had, for centuries, diſgraced her government.

To the recency of the origin of Religious Toleration he had already juſt alluded; and, to this part of his ſubject, it might not be improper to add that, although it came forward, in our own country, during the reign of King William; yet its exiſtence and its effect were ſo concealed and partial, that thoſe only who ſubſcribed to Thirty-four out of the Thirty-nine Articles, felt the contracted bleſſings of its influence. The Toleration Act, on which the higheſt encomiums had been profuſely laviſhed, was, at the beſt, a ſufferance more agreable to the individuals who granted it, than to the perſons by whom it was received.

All this fell infinitely ſhort of Toleration, in the

the unſullied ſenſe of the expreſſion. The corner-ſtone of Toleration reſted upon philoſophy and reaſon; and upon a juſt diffidence and doubt of the excluſive rectitude of our own opinions. Were the ſincere friend of Toleration actually to perceive evil conſequences attached to the religious ſentiments of another, ſtill he would, liberally, regard it as ſufficient to avoid the adoption of ſuch ſentiments, without imputing their baneful effects to thoſe by whom they were entertained; and who, perhaps, might not foreſee, or even think of their pernicious tendency. Toleration did not inflame men with arrogance and pride; but, far from inculcating a jealous and unwarrantable diſtruſt of others, encouraged its profeſſors in a charitable adherence to the rule that, where they could not diſcern vice, it became them to give credit for the exiſtence of virtue. Toleration judged mankind more by their actions than by their doctrines. Adhering to the ſage and candid maxim in the ſcripture, the advocates for Toleration formed their idea of the *tree*, in conſequence of an attention to the nature of the *fruit*; perſuaded that all other methods of deciſion were liable to continual

error. It ſeemed natural to expect *ſuch* men would prove, generally, in the right: becauſe they were ready to confeſs their doubts, and even to acknowledge ignorance: nor could it be denied that this kind of language was more conciliating and more juſt; as reaſoning *à poſteriori:* from *effects* to their *cauſes.* Even the moſt diſcerning men are apt to be miſled when, arguing *à priori,* they judge from *cauſes* to *effects.*

An example might illuſtrate the truth of theſe poſitions. Some of the wiſeſt and greateſt men in this country, have conſidered the opinions of the Roman Catholics as *apparently* militating againſt all religion and all morality whatſoever; and, yet, whilſt they lamented over the errors of this profeſſion, they were perfectly aware that, in an age of ſuperior refinement, liberality, and underſtanding, the Papiſts were not accuſtomed to commit, for *conſcience ſake,* murder, treaſon, and all thoſe crimes and enormities which caſt a ſtain of infamy upon their perſuaſion, at a former epoch. No friend to Toleration, would, at the preſent day, refuſe to truſt a Roman Catholic for the ſincerity of his *good* profeſſions; and

and much leſs would he attribute to him, in conſequence of the opinion which he might entertain of the purport of his doctrines, an ungrateful and abandoned wiſh to overthrow the government under which he lived, and to the laws of which he ſtood indebted for protection. From our knowledge of the actual ſtate of thoſe nations where this religion was predominant, it would be cruelly diſingenuous to infer that they were deficient in the practice of the duties of morality; or, even for a moment, to imagine, that in whatſoever point of view we might have examined their opinions, it was, now, poſſible for them to entertain an idea that they could lead to the revival of atrocities like thoſe which once were perpetrated. Sufficient was the proſpect of civil ſociety throughout the world, to convince all *reaſonable* beings, that ſpeculative doctrines, in religion, preſerved only an inconſiderable influence over moral conduct, without which even religion itſelf could not ſubſiſt, to any great and ſerviceable purpoſe.

The ſame principle upon which the enemies of the Roman Catholic religion decried its tenets, as holding it lawful to break all oaths with Heretics,

Heretics, and to aſſaſſinate Proteſtant princes, actuated the Papiſts, when they charged thoſe of the Reformed Church with the ſubverſion of revealed religion, which tended to the deſtruction of natural religion; but, it was the merit, the glory, and the happineſs of ſome of the beſt and wiſeſt characters of the ſeventeenth century to examine into this principle; and, having perceived that it was founded upon ſelf-conceit, and an overweening prepoſſeſſion in favour of private judgment, to ſeek for the eſtabliſhment of univerſal toleration.

Were we to act towards the Diſſenters, from a theoretic and not a practical knowledge of their opinions, we ſhould violate one of the great duties of a Chriſtian, and judge of them, not agreeably to their deſerts, but according to our own wiſhes. As for himſelf, he muſt confeſs that he cordially ſubſcribed to the liberal opinion of a celebrated Commentator on the Laws of England (Sir William Blackſtone) that the moſt unexceptionable teſt to which a man could lay claim was, the circumſtance of his having proved a credit to his Country, as a Friend to the Conſtitution, and as a ſerviceable Member

of

of the Community. He ſhould, however, give a wider ſcope to the opinion of the learned Judge, and declare that, in *his* apprehenſion, *all* political and religious teſts were abſurd; and the *only* teſt to be relied upon was the teſt of human actions.

He, notwithſtanding, flattered himſelf that, whilſt he uttered theſe ſentiments, the Houſe would do him the juſtice to believe that he had no intention of contending againſt the indiſpenſible neceſſity of a teſt of allegiance. He rather meant to throw a pointed ridicule over the imaginary circumſtance of obliging a perſon to deliver in, upon oath, that ſtatement of his political principles, which the law, certainly, did not yet require, although the Corporation and Teſt Acts continued to enjoy its ſanction. From the annals of this country, it appeared that, at one moment, certain principles were in faſhion, which, at length, decaying, became replaced by others of a different complexion; yet, amongſt theſe fanciful revolutions, no teſt was known to have ſtarted up for civil opinions, in any caſe whatever. Was not a teſt at leaſt as requiſite upon ſuch occaſions as in matters of religion?

Or,

Or, rather, what had religious teſts to do with civil affairs? To thoſe who ſhould diſcover an inclination to argue that, if all ſects were, indiſcriminately, admitted into civil employments, without having previouſly conformed to the Teſt-Laws, ſome indefenſible *religious* opinions might, *circuitouſly*, affect the intereſt of the Eſtabliſhed Church, it would prove ſufficient to anſwer that equal danger ſeemed to threaten the Conſtitution, from *civil* opinions. No political teſt was *directly* required from a Member of Parliament. *Indirectly*, perhaps, it was demanded when he was called upon to declare his diſſent againſt the doctrine of tranſubſtantiation. But, who could ſeriouſly infer that the ſpeculative opinions of a Member of Parliament were of any ſignification to his conſtituents? Would *they* ſuppoſe themſelves at all likely either to acquire or to loſe any political advantages, if, in the firſt inſtance, their Repreſentative believed, or, in the ſecond, denied the Real Preſence!? But, it was contended, that were a Member of Parliament to admit within his code of faith a tenet of ſo extraordinary a nature, his political principles muſt, unavoidably, prove hoſtile to his country. This

was

was what he had already reprobated: a fallacious inference of morals from opinions. An individual, not friendly to the Conſtitution, might, in defiance of the Teſt Act, fill a reſponſible ſituation in the State; the law not conſidering the opinions of any perſon as detrimental to this conſtitution, until they appeared perniciouſly in action; and then the law proved fully competent to the puniſhment of the offender. But, in fact, ſo trifling were the apprehenſions which were in general entertained of the baneful effects of political opinions, that a man was not incapacitated from preſiding at the head of public affairs, although his ſentiments might be inimical to the Conſtitution, and favourable to the views of Arbitrary Government; although he might conſider the abolition of the Trial by Jury as no violation of the liberty of an Engliſhman, and the invaſion of the freedom of Parliament, as no infringement of the rights and privileges of Conſtituents and their Repreſentatives.

It appeared unneceſſary to call to the recollection of the Houſe, that the Teſt Act, enforced ſoon after the civil wars, was intended

for the exclusion of all antimonarchical men from the enjoyment of public offices; but, as the act operated under false pretences, he felt it difficult to mention it, except in terms of strong disapprobation: nay, he should have preferred a monarchical Test at once; because the nugatory and ridiculous imposition of that in question went solely to the introduction of vague conjectures respecting the opinions of others; and was likely, not only to receive into employments of great trust persons adverse to the most sound and unimpeachable sentiments, in relation to points materially interwoven with all the valuable interests of the Constitution, but, to exclude those who were amongst its zealous, useful, and incorruptible adherents.

It followed, therefore, that to exclude any description of men from the participation of the common rights which their fellow-citizens enjoyed, was violently oppressive. Of what consequence was it to the State whether a man was an Unitarian or a Trinitarian; an advocate for infant baptism or for adult baptism? To abandon general principles upon the ground of partiality, was a procedure which could not be defended;

fended; and, with this idea, he ſhould venture, without a dread of reaſonable contradiction, to affirm that even the majority had no right to bind the minority.

Of this nature were the premiſes upon which he was willing to reſt the cauſe of the Diſſenters; nor, although it might appear invidious to remain ſilent concerning ſuch a ſubject, did he conſider it as indiſpenſibly needful to ſtrengthen their requiſition by any arguments drawn from their meritorious conduct. Had they purſued a line directly oppoſite, and proved cenſurable in a variety of examples, ſtill would they have remained, in common juſtice, intitled to thoſe advantages, in the enjoyment of which it was the object of his motion to have them firmly and irrevocably placed.

On the ſuppoſition, therefore, that every ſpecies of either merit or demerit might be thrown out of the preſent queſtion, he ſhould plead for the abolition of the Teſt Act, were it merely becauſe it militated againſt the rights of a Body of individuals.

Upon this occaſion, he muſt remind the Houſe that a report, to which he could not

liſten without extreme concern, had gone abroad, and tended to excite the violence of perſecution. It was intimated, he feared with too much truth, that an unworthy project had been concerted for the purpoſe of ſeparating individuals from the cauſe which they eſpouſed. Who but a decided friend to marked and virulent intolerance could look on ſuch a meaſure without a generous indignation? This was a deſperate, but, he truſted, an unavailing effort to baffle all the ſalutary effects of the unanſwerable and liberal doctrines; that in matters of religion, even the erroneous and bad opinions of another may have ariſen from good intentions. Who would not bluſh, or, at leaſt, what foe to Toleration would dare, in times remarkable for candid modes of thinking, to ſtep forward, and affirm that he conſidered a whole body with diſapprobation, becauſe *one* of its conſtituent members had purſued a conduct which was open to reproach? Who would venture, in an age like *this*, publicly to declare that it could prove an act of juſtice to deprive even *one ſingle* individual, amidſt the hundred in the ſociety, of his rights, becauſe the *whole* of the remaining ninety-nine had acted reprehenſibly?

Objections

Objections againſt Diſſenters, drawn from an earlier æra than the preſent, would not invalidate his arguments; but, if they could, he ſhould not ſtrive to keep them in concealment; perſuaded that it might be better himſelf to bring them forward, than leave them to the management of the intended oppoſers of his motion. He was not inclined to enter upon a ſtudied defence of their endeavours to overſet the monarchy, in the time of Charles the Firſt; but, he experienced no difficulty in declaring that if their enemies could be driven from this particular ground of accuſation, they would not find another tenable place for any *juſt* aſſault againſt their characters.

Thus much for ſuppoſed demerits; and, as to merits, he did not want to avail himſelf of their enumeration in a cauſe the reaſoning for the deſerved ſucceſs of which aroſe upon a ſtronger principle: yet, as reflections, injurious to the characters of the Diſſenters, had been induſtriouſly circulated, it ſeemed at leaſt fair, if not neceſſary, to repel them with ſuch deciſive refutations as might eaſily be collected from an inquiry reſpecting their highly laudable behaviour

haviour and procedures, amidſt ſome of the moſt critical and trying ſituations of this country. Plots had been meditated, combinations formed, and inſurrections raiſed againſt the State, for the purpoſe of undermining the eccleſiaſtical and civil foundations of the Conſtitution; yet, of the violence of theſe attempts, the Diſſenters manifeſted their full abhorrence. In the year 1715, when the flames of rebellion broke out in the North, and one of the exiled branches of the Stuart family aſpired to the throne; when the members of the Eſtabliſhed Church, terrified at the approaches of his army, ſought a protection in the united power and reſiſtance of men of *all* perſuaſions; and when it was apprehended that numbers of their countrymen were ſecretly preparing to range themſelves under the banners of the invader, the Diſſenters gallantly aſſembled, declared their willingneſs to riſk their lives and fortunes in the defence of government, and drew their ſwords for the protection of a State in danger; of that State, the laws of which enacted that the very moment of their coming forward, in any military array, was to operate as an extinction of their *civil life*. Their exertions, at this

this alarming juncture, and during the ſimilar inſurrections and invaſions in 1745, contributed to the maintenance of the Conſtitution, and to the firmeſt ſettlement of the Brunſwic family upon the throne of Great Britain.

At theſe periods, as at preſent, they were incapacitated from holding commiſſions, either civil or military, in the ſervice of their country. Far from pleading the incapacitation, they, at an emergency of ſuch importance, and in the ſtriking moment of national alarm, with equal bravery and patriotiſm, committed what they juſtly deemed a requiſite tranſgreſſion againſt thoſe laws to the hard penalties of which they were obnoxious.

To what *exceſſive* limits did the government of their country, in the defence of which the Diſſenters had ſo actively united, and the religious and civil liberties of which they had contributed to ſave, carry the *generous* extenſion of their remuneration! They took care to ſecure them from *puniſhment!* from *puniſhment*, for the enormous *guilt* of having fought, victoriouſly, the battles of their invaded nation; but, at this vaſt *gratuity* they thought it not illiberal to ſtop; and,

thence-

thenceforward, all the laws framed upon the monſtrous ſpirit of perſecution reſumed their ſhortly interrupted force. An Act of indemnity juſt ſheltered the offenders in the firſt moments of their return from having glorioufly triumphed over the enemies of their country; and, *then*, they fell under their former ſubjection, in certain caſes, to diſabilities, to incapacities, to fines, impriſonments and outlawries. Who could ſeriouſly contend that, in *this* caſe, an Act of indemnity was a *reward?* To deſcribe it in the true light, it was little better than degrading them into the ſhameful and abſurd neceſſity of being obliged to receive *mercy*, for the *heinous crime* which they committed by having done the State *good ſervice!*

How different was the conduct of the Iriſh! The Houſe of Commons, in that kingdom, when appealed to upon this occaſion, voted, with an animation as virtuous as it was truly politic: that, whoſoever ſhould bring a proſecution upon the Teſt Act, againſt any Proteſtant Diſſenter, for having taken up arms in the defence of the State, ſhould be conſidered as an enemy to his country, and as a *Jacobite.*

The

The natural, and indeed the ſole concluſion to be drawn from this reſolution, was, that whilſt we were obſtinately bent upon the abſurdity of continuing laws in force, which might be violated without effect, and the prevalence of which muſt, inevitably, tend to the excitement of diſunion amongſt our fellow-citizens, a ſiſter kingdom preſented to us an example of wiſdom and liberality, which merited, but had not received our imitation; and clearly diſcovered that ſhe conſidered the Teſt laws as ſuch as ought never to have been carried into execution, although ſhe might not have found it convenient, or perhaps, poſſible, at that period, to accompliſh their abolition.

It could not be difficult to refer, ſucceſsfully, to a multitude of hiſtorical points for the purpoſe not only of proving that the conduct of the Diſſenters had been, generally, peaceable, and that the State had neither attacks nor injuries to fear from their *diſloyalty* and their *ambition*, but, alſo, with the view of evincing that the procedures of ſome individuals of a different perſuaſion, had, in the day of trial, been more *diſloyal* and more *ambitious*. The

High Church party, which, fortunately, had lain dormant for a number of years, and which he ſhould earneſtly hope, was not as yet upon the point of awakening from its ſlumbers, had really attempted to ſubvert the conſtitution, and drive the reigning family from the ſceptre of theſe kingdoms. At the time when the Diſſenters, with an inflexible integrity, had braved the penalties of the law, in order to protect, by force of arms, their monarch, their fellow countrymen and themſelves, the baneful doctrines of the High Church, as uttered even from the public pulpits, were *paſſive obedience* and *non-reſiſtance.*

The humorous and diſcerning Dean Swift, in one part of his writings, had ſarcaſtically remarked that, although he could not pretend to affirm that every Whig was an infidel, yet he would poſitively aſſert that every infidel was a Whig: and (Mr. Fox added that) he could, at leaſt with equal juſtice, make a parody of the expreſſion, and obſerve, that although he ſhould not contend that every *High Churchman* was a *Jacobite*, he would maintain that every *Jacobite* was a *High Churchman.*

An able obſerver, when expatiating upon the dangers to which he conceived that the Eſtabliſhed Church ſtood imminently expoſed, found himſelf, perhaps, unexpectedly, after a plauſible but inconcluſive train of arguments, reduced to the dilemma of aſcribing theſe *perils* to the laxity of her miniſters, with reſpect to the inviolable maintenance of her doctrines. Even granting the truth of this poſition, could it apologize for the cruel injuſtice of puniſhing the Diſſenters, on account of the criminality of others? Was it not the duty of every conſcientious and faithful ſubject, to watch over and preſerve, by all the means within his power, the balance of our Conſtitution, the inclination of which from its trueſt equilibrium was, certainly, the moſt menaced by the influence of the Crown. Under this conception, a juſtly admired, though not infallible hiſtorian (Mr. Hume) had obſerved, that the end, the *euthanaſia* of all free governments, was an abſolute monarchy. The moſt efficacious method, therefore, of either confuting this aſſertion, or prolonging its accompliſhment, was to admit every loyal ſubject to a participation of the bleſſings of the Conſtitution.

At an æra, when, as a natural reſult of its ſucceſsful progreſs, the human underſtanding was more and more accompanied by liberality and refinement, it could not be deemed extraordinary if he inſiſted upon his principle that, even if the demerits of the Diſſenters were numerous and glaring, they had a claim to Toleration. Under the circumſtance that we could not, with propriety, be ſaid to *tolerate* what we did not *fully approve*, it followed that the word Toleration meant an admiſſion of what might *well* be ſuffered, although in the eye of the tolerating power, it did not appear *perfectly* right and juſtifiable. It was from this virtuous and highly cultivated improvement in the reaſoning faculties of the human mind to which he alluded, that he conceived the pleaſing hope of drawing an advantage for the cauſe of the Diſſenters; as he argued in favour of *Toleration*, which numbers were moſt *ſincerely deſirous*, and all others *pretendedly diſpoſed* to grant; and as he pleaded againſt *perſecution*, which every individual was prepared to diſavow and to condemn.

The repeal of theſe impolitic and ungenerous reſtraining Acts would, certainly, ſtand marked by

by a peculiar propriety, in conſequence of the complexion of the times and the ſituation of the country. From the *Pope* and from the *Pretender*, we could not entertain the ſlighteſt apprehenſions; but, as the poſſibility of our being engaged in foreign wars was ſtill exiſting, it certainly behoved the Government to relinquiſh the idea of impoſing diſabilities on ſuch a multitude of ſerviceable members of the State and of Society, and on ſo conſiderable a number of intrepid and experienced naval and miltary characters, who had been born and educated in the religion of the Kirk of Scotland, to which they yet adhered. The length to which theſe diſabilities proceeded was more unlimited than many of his preſent auditors would, perhaps, imagine. It was not merely the individuals who entered upon the higheſt employments in the State that were indiſpenſibly bound to conform to the ceremonies of the Church of England. The ſame obligation extended itſelf to all the ſubordinate officers of the fleet and army; and every Collector of the Cuſtoms was liable to a penalty of five hundred pounds, with diſabilities beyond meaſure, if he did not conform by taking the Sacramental Teſt.

It had been argued that not only King William, the political Saviour of the Church and State, but, all the Princes of the Houſe of Brunſwic were averſe from the abolition of the reſtraining acts; and, yet, ſo contrary was the caſe, that every one of theſe illuſtrious perſonages appeared cordially inclined to admit into their ſervice the Diſſenters. King William, in one of the ſpeeches which he delivered to his Parliament, expreſsly mentioned his wiſhes to be enabled to employ, without reſtriction, *all his Proteſtant ſubjects.* Howſoever generally expedient he might have thought it to put all the Proteſtants within the realm upon the ſame footing, there might have been ſome *temporary* objection againſt the accompliſhment of his inclinations. But, what liberal idea could now coincide with the opinions of the neceſſity for enforcing theſe objections? or, rather, who could, reaſonably, contend that this was *not* the particular moment to repeal thoſe Acts of Parliament which were ſuffered to remain as a dead letter of the law, becauſe it would be deemed ſcandalouſly oppreſſive to draw them out into a ſtate of life and efficacy? And, yet, an unbecoming

care

care was taken to hinder them from growing *obſolete*: they were brought, by annual indemnity bills, to our indignant recollection, notwithſtanding that their advocates have not the effrontery to mention them with applauſe, and that their enemies conſider them as a diſgrace to our code of legiſlation. That *ſuch* acts were not neceſſary, in the opinion of the Princes of the Houſe of Brunſwic, to the preſervation of the Church and State, is evident from the repeal of them by the Parliament of Ireland.

The enemies to the conceſſion of a complete Toleration, when driven from one ground of argument, fled, precipitately and injudiciouſly, to another. Aware of the imbecility of their cauſe, they ſought from ſubterfuge thoſe advantages which, in the attempt to venture into an open defence, they could not poſſibly have acquired. They pretended that it was not their deſign to exclude any man from ſituations of truſt, honour and emolument, on account of his *religious* principles, but ſolely on the ſcore of principles which were, entirely and excluſively, of a *civil* nature: and thus they went to points *circuitouſly* which they had not the manlineſs to aim at *directly*.

The

The Roman Catholics and the Proteſtant Diſſenters were the two deſcriptions of men againſt whom the two acts in queſtion had been levelled. It was the object of one act to keep the Diſſenters out of Corporations; and of the other act, to exclude the Roman Catholics from ſeats in Parliament. Every member of the legiſlature was called upon by the law to declare that he did not believe in the doctrine of *tranſubſtantiation*; a doctrine which, although erroneous and abſurd, might be conſidered in a harmleſs light; and, therefore, no Proteſtant in England would have cared who did, or who did not accept it, as a code of his religious faith, if it had not happened that the perſons who embraced this tenet entertained principles which were unfavourable to Civil Liberty. As it was imagined (for what reaſon let thoſe by whom they had been ſuſpected declare) that the principles of the Proteſtant Diſſenters were hoſtile to monarchy, the Sacramental Teſt was introduced, *indirectly*, for the purpoſe of excluding them from Corporations. If that diſaffection were the caſe, and any teſt beyond the oath of allegiance became neceſſary, why

was

was not a teſt impoſed upon them, which inſtead of being merely religious, ſhould go *directly* to the point, and call upon the Diſſenters to give a proof that they were friends to monarchy, and deſirous of preſerving its exiſtence and authority in the State?

The idea of making a *religious* rite the qualification for holding a *civil* employment was more than abſurd, and deſerved to be conſidered as the profanation of a ſacred inſtitution. This idea, not originating, indeed, with him, but with the *Lower* Houſe of Convocation: a Houſe, at the period to which he alluded, more of the High Church than the *Upper* Houſe itſelf, he firmly entertained. The Clergy of the *Lower* Houſe of Convocation adverted, during the year 1704, in the language of complaint, to a caſe of conſcience in adminiſtering the Sacrament to perſons of an infamous character. It was true that they were not bound to do this by the Rubric, but had it at their option to decide upon ſuch characters, independently of a Jury, or any other legal determination, to fix that infamy. Yet, when do ſuch caſes occur? Never: becauſe the Clergy of the Church of England

well know that they would ground a juſt plea for the repeal of the Teſt Act. It was not his intention, by any remark of this nature, to fix even the ſlighteſt ſtigma upon a body for whom he entertained the utmoſt reſpect; yet, it was fair to ſuppoſe that ſome exceptionable characters preſented themſelves on theſe occaſions.

The application now made for the repeal of the Teſt Act, had been erroneouſly conſidered as ill-timed, upon the falſe principle, firſt, that the affairs of France rendered it neceſſary not to make any alterations in the Conſtitution of this Country; and, next, that if the Revolution abroad had not taken place, the Diſſenters would have been leſs impetuouſly bent upon their determination again to ſtate the nature of their imaginary grievances to Parliament. But the contrary fact was, that the ſituation of France had neither excited the attempts nor raiſed the hopes of the Diſſenters for the accompliſhment of their wiſhes. A ſimilar motion to that which he ſhould have the honour to propoſe, had been ſubmitted to the conſideration of the Houſe, three years back, when no perſon could have predicted the ſingular events which have occurred

curred on the Continent. Granting, however, that any circumſtances had ariſen, ſubſequently to the ſecond application of the Diſſenters to the Legiſlature, and almoſt immediately preceding the preſent, which might give greater ſtrength to the propriety of their petitions, it naturally followed that ſuch events ought to be conſidered, in ſome degree, as operating againſt the rejection of a claim, which, independent of extraneous occurrences, was founded upon juſtice and civil right. He felt himſelf warranted, in not quitting this part of his ſubject, until he had declared that, in one reſpect, the example of France ought to excite our deepeſt and moſt ſerious attention. Her Church was now ſuffering in conſequence of a too long reſiſtleſs and intolerant ſpirit of perſecution: her Church preſented to the world a dreadfully alarming proof (yet, he truſted a ſalutary leſſon) of the veracity of the idea, that perſecution *may* prevail even for a conſiderable length of time, but that it ultimately accompliſhes the ruin of the *perſecutors*. Yet, whatſoever ſatisfaction he might have experienced at the emancipation of more than twenty millions of his fellow creatures from

the galling yoke of arbitrary power; and howſoever he might in general approve of that determined ſpirit, which, ſcarcely interrupted in the rapidity of its courſe, brought on ſo unexpected and ſo extraordinary a revolution, he muſt confeſs that there were particular acts of what ſome *might* agree, and others *might not* agree to call the *New* Government, in applauding which he could not poſſibly concur. Such was the infliction upon the Church of the undiſtinguiſhing forfeiture of her property: an act which might, nevertheleſs, be conſidered as the ſlow, but certain conſequence of the impolitic revocation of the edict of *Nantz*. Previous to this intemperately lawleſs meaſure, the civil and the eccleſiaſtical branches of the French Conſtitution remained inviolate: inviolate even without the guardianſhip of Teſt Acts! and Proteſtants were indiſcriminately admitted with Catholics, to the enjoyment of poſts within the different departments of the State. When that edict became revoked, liberality and toleration were thrown away with one hand, whilſt, with the other, arts and manufactures were caſt out; to flouriſh, however, upon a more genial ſoil, and within a milder form of government.

He

He lamented that, in this kingdom, any ſectaries in religion had an exiſtence; and, inviolably as he reſpected its eſtabliſhed Church, he could not avoid conſidering the alarm attempted to be excited by the *High Church Party*, on the preſent occaſion, as abſurd in the extreme. Since the laſt agitation of the queſtion for the repeal of the Teſt and Corporation Acts, circumſtances had run into a different channel, and endeavours had been uſed, he feared, with too great a portion of ſucceſs, to collect together an *High Church* Party. Under this opinion, therefore, he was juſtified in his alluſion to an union, which ought to be irrecoverably broken and forgotten. Amongſt thoſe who were the loudeſt in the cry of *danger*, it gave him much uneaſineſs to perceive ſome Dignitaries of the Church: men, whoſe talents it was impoſſible to avoid admiring; but whoſe apprehenſions were, he ſhould conceive, not leſs affected than chimerical. The uniformly leading maxim of the *High Church* Party had been to pretend *fear* whenſoever they meditated *perſecution*. To this practice had the implacable and unprincipled tyrants of all ages, invariably adhered.

adhered. *Tiberius*, if his aſſertions deſerve a grain of credit, paſſed every hour of his life within a ſtate of terror: and our *Henry the Eighth*, perpetually raiſed the alarm of an attack upon the royal prerogative, in the moment that he was concerting projects for the extenſion of freſh acts of tyranny againſt his miſerable ſubjects. To ſuch ridiculous exceſſes had the *High Church* Party been known to carry their *pretences* of danger having approached their very gates, that to ſupport the fallacy by appearances, they have *raiſed tumults* for the purpoſe of inculcating *paſſive obedience*. The Church never interfered in politics, but for the ſake of miſchief. Unfortunate was it for the country when any religious ſects aroſe in oppoſition to each other; but infinitely more alarming and diſaſtrous was it when, in the midſt of theſe reſiſting ſtruggles, the Church became a militating party. The Church, acting as a Body, was always dangerous and formidable. It had frequently deſcribed itſelf as ſurrounded by perils; it exclaimed, at the acceſſion of the Brunſwic family to the throne, that enemies were arming; and, although replete with authority and power, it did not abate

abate the violence of its outcries, but gave its ſupport to rebellions; ſince the ſuppreſſion of which it remained tolerably tranquil until the preſent year, when it again vociferated that *danger* was advancing! Such, alſo, was the language of the Church in the days of *Doctor Sacheverel:* and, yet, at the time when this man was puniſhed by the Houſe of Lords, the Church enjoyed a ſtate of perfect ſafety. When the Houſe of Commons twice paſſed a Bill for repealing the Penal Statutes againſt Diſſenting School-maſters and Teachers, and when the the Houſe of Peers rejected it as often, again the clamour that the Church was imminently expoſed to danger became circulated throughout the country. Yet, ſince this period, the Bill had paſſed both Houſes, and received the royal aſſent; nor was the Church leſs opulent, leſs flouriſhing, or leſs powerful than before.

Eleven years had elapſed ſince the repeal of the Teſt Act in Ireland: and who could aſſert that the Church Eſtabliſhment of the country had experienced *danger*, as the reſult of ſo politic and liberal a meaſure? Yet, certainly, if any *danger* whatſoever could, poſſibly, have

ariſen

ariſen from the repeal of this Act, it *muſt* have ſtarted up rather in Ireland than in England; becauſe England could produce *nine* perſons of the Eſtabliſhed Church for *one* Diſſenter. In Ireland, the Proteſtant Diſſenters equalled the numbers of the members of the Eſtabliſhed Church: and of the three perſuaſions, the Roman Catholics were, in that country, the moſt numerous. Although it had been as obſtinately as erroneouſly argued that a repeal of the Reſtraining Acts would bring down ruin upon the Church, that of Ireland had not, at any one moment ſubſequent to the repeal, loſt a ſingle particle of her luſtre, her affluence, and her power. Ireland appeared to breathe the well-directed and indulgent ſpirit of *North America*, where the different *religious* ſects, unembarraſſed by any *religious* monopoly, enjoyed their rights in common! Nearly all the provinces of the Thirteen States varied in the nature of their religious opinions; but, as the moſt enlightened and general principles of Toleration were adopted, all acted with the indiſſoluble efficacy of one power, with that liberal cordiality, the imitation of which, at the preſent juncture, would

reflect

reflect the higheſt credit upon ourſelves. It was in America that the Diſſenters were the moſt predominant; and yet no ſullying ſpot of bigotry appeared to render them unamiable and intolerant.

Moſt unfairly had it been obſerved, that the Diſſenters always contended for Toleration when *undermoſt*, but were little bountiful of it when *uppermoſt*. If many of thoſe remarks, to which the Houſe had ſo indulgently done him the honour to liſten, were not already ſufficient to bear him out in the declaration, that no *reaſonable* plea exiſted for levelling the charge of intolerance againſt the Diſſenters, he would purſue his arguments, and proceeding to an irrefragable point, affirm, that, in Scotland, where the *Kirk* was the eſtabliſhment, and the *Churchmen* were *Diſſenters*, not a Teſt was known for the excluſion of any *Proteſtant* whatſoever from ſerving the State, in any office or capacity for which he was qualified. Even although it was an acknowledged fact, that every perſon in Scotland who belonged to the Hierarchy, had been, until very lately, not merely a *Diſſenter* from the Eſtabliſhed Church of Scotland, but actually

diſaffected to the State, and in the intereſt of a Roman Catholic Pretender, no Teſt in Scotland had debarred *ſuch* an individual from entering upon the enjoyment of an office.

The principles which the learned and candid Doctor Hoadley (Biſhop of Wincheſter) publicly avowed, were regarded as dangerous in the year 1700; and yet he was as great a man as any that ever ſat upon the bench of prelates. Would the rigid eccleſiaſtics of the preſent day exclaim, after an attentive peruſal of the writings of this venerable ornament to their profeſſion: "The Church is in danger!" they could not degrade their own characters by the commiſſion of ſo glaring an injuſtice. From what quarter then did the danger iſſue? From law, or from rebellion? If from the firſt, why were not meaſures taken to compel the Members of the Legiſlature to conform. (The reſtrictions of the Teſt had never reached the Senate, although they were impoſed upon every petty Collector and Exciſeman.) If perils appeared menacing from the latter, let it be remembered that no meaſures could prove more calculated to create rebellion, than thoſe of perſecution and proſcription;

ſcription; which unite bodies of ſuffering individuals, and goad them on, at length, to firm reſiſtance.

Surely, the orthodox Divines of our Eſtabliſhment were not afraid leſt the Diſſenters ſhould intermingle with them, and become members of the ſame body. Their terrors might be completely tranquilized by the recollection that they could not contrive to inſinuate themſelves into the Church; or, rather, they could not become participators of its rich benefices, dignities, and pluralities, without a previous ordination. After all, it might, perhaps, impart a gleam of comfort to thoſe who ſtill trembled for the ſafety of the Church, were he to remind them that the number of the Diſſenters, far from being augmented, had conſiderably decreaſed. Under theſe, or, indeed, any other circumſtances, would the Houſe ſuffer two ſtatutes to remain on the ſtatute book, merely becauſe the Church cried out that ſhe perceived herſelf in danger? Should ſuch a clamour continue longer to prevail, without even the mere ſhadow of a reaſon, inconſiderate perſons would be apt to imagine, from the violence of the uproar, that the approaching cala-

mity would diſcover itſelf at leaſt in the deſtruction of *Magna Charta*, and in the abolition of the Bill of Rights!

Too invidious a ſtreſs had, certainly, been laid upon the characters and declared opinions of ſome particular members of the body of the Diſſenters. Againſt one learned writer (Doctor *Prieſtley*) it had been objected that he was inimical to the Eſtabliſhed Hierarchy, and had even publiſhed a pamphlet in which he avowed the ſentiments in queſtion. Yet it might fairly and unanſwerably be contended, that all this was no proof of his deſign to ſubvert the Eccleſiaſtical Conſtitution. Any perſon might diſapprove of our Civil Conſtitution; might condemn the popular part of our Government, and might abhor the Trial by Jury; yet even theſe opinions, notwithſtanding that he ſhould declare them in the moſt public manner, would not incapacitate him either from having a ſeat in the Senate, or from holding any of the firſt offices in the State. A Right Honourable Gentleman (Mr. Pitt) expreſſed, at a late period, his abſolute diſſatisfaction at the formation of the Houſe of Commons; and manifeſted an *inflexible* reſolution

reſolution to exert his power to the utmoſt, for the purpoſe of accompliſhing an alteration in the Repreſentation of the People. Yet although he had ſince poſſeſſed not only the favour of the Crown, but the ſupport and confidence of the Houſe of Commons, he had not made the leaſt progreſs in the great work of reform; but ſuffered the Repreſentation to remain in that extremely diſproportioned and incongruous ſtate in which he found it. Surely, after ſuch an inſtance of the very trifling effect which *opinions* may have on *practice*, the Reverend Gentleman (Doctor Prieſtley) might be ſuffered to aſcend even to the firſt rank in the Church, without a dread of danger to our Religious Conſtitution. A noble Duke (of Richmond) now high in office, who once brought in a bill for a Parliamentary Reform, in which he failed, had declared that, in *his* opinion, every perſon above the age of eighteen years, ſetting property out of the queſtion, ought to have a voice in the election of Members to ſerve in Parliament. Notwithſtanding his avowal of this political doctrine, the Noble Duke preſided (and, where was the impropriety of placing him in a truſt of ſuch dignity

and

and importance?) at the head of the Board of Ordnance: yet, few would contend that the Maſter General of the Ordnance was a leſs formidable enemy than the Reverend Gentleman (Doctor Prieſtley) and, therefore, it followed (as he had before obſerved) that, whatſoever might be the nature of opinions, the perſon who entertained them, whether they pointed at civil or at religious matters, ought not, upon that account, to be puniſhed with incapacity. If the Noble Duke was not criminal, merely in conſequence of having delivered a ſingle political opinion, in the face of Parliament and of the Public, why ſhould the Individual, who ſimply promulgated his doctrine reſpecting the Church Eſtabliſhment, be conſidered as offending? Was the Church Eſtabliſhment of more importance to the Conſtitution than the Repreſentation of the People?

He truſted that no obſervation whatſoever had fallen from him, ſince the firſt moment of his having riſen, which did not diſcover that he was a decided friend to an Eſtabliſhed Religion. It was only upon the opinions of the majority of the People that this Eſtabliſhment could be

juſtly

juſtly founded. It did not behove the Parliament to inquire which Religion was the moſt rational and uncorrupted. *Their* buſineſs was to extend their peculiar protection to that which, more than any of the others, approached to *Univerſality*, and to ſecure for it ſome of the chief emoluments of the State. The Government, at the æra of the Union, were thoroughly convinced that this principle was at once political and liberal; and, therefore, conſonantly to ſo enlightened an idea, they eſtabliſhed two religions, each equal as to the reputation of its doctrines: the Hierarchy for England, and the Kirk for Scotland. At a more recent period, a meaſure ſo laudable in its nature had been honourably extended and refined upon, in the caſe of granting, at leaſt, a partial Eſtabliſhment to the Roman Catholic Religion in Canada.

To either the real or the pretended enemies of innovation, he ſhould oppoſe the more than generally acknowledged point: that, not only the Eſtabliſhed Church, but, the Conſtitution itſelf, ſtands materially indebted for a great portion of its rectitude, its vigour and its beauty, to rational innovation. The Reformation imparted

parted ſtrength and durability to the Eccleſiaſtical Conſtitution; and the Civil Conſtitution roſe ſuperior to the violence of attacks, and, with redoubled force and purity, at the epoch of the Revolution. Theſe were brilliant and truly ſerviceable innovations. But, what was the *monſtrous* innovation which it was ſo difficult to contemplate without *terror* and *abhorrence?* It was a *daring* effort to accompliſh the ſimple repeal of an Act of Charles the Second, which, during an overflow of loyalty, and at the concluſion of a civil war, the Parliament had paſſed as a compliment to their reſtored Monarch! A Conſtitution erected upon *ſuch* a foundation was, certainly, not worth preſerving; neither could he admit that any ſpecific form, in the mode of adminiſtering the Lord's Supper, ought to be conſidered as the corner-ſtone of the Eccleſiaſtical Eſtabliſhment.

Of the controverſial writings of the different Sectaries, he frankly acknowledged that he was ignorant; but, he had perpetually underſtood that Tolerating Benevolence was one of the moſt ſtriking characteriſtics of pure Religion. When he diſcovered Churchmen betraying a ſpirit directly

rectly repugnant to that faith which they profeſſed, he could not avoid conſidering them as ambitious of maintaining a monopoly of power, in the very moment when they affected to tremble at imaginary danger; and he wiſhed them to remember that their Religion was neither originally taught to Kings and Senators, nor neceſſarily connected with the politics of a Government.

Some well-wiſhers to the continuance of the Teſt Act had argued that its repeal would prove an infringement of the Union, becauſe it formed a portion of its baſis. It would be difficult to bring forward an idea more erroneous. The Teſt Act, far from exiſting among the eſſential articles of the Union was, formerly, propoſed, to be *perpetual*; and the propoſition was *rejected*.

He could, with truth, aſſure the Houſe that the Diſſenters did not come forward, upon the preſent occaſion, as a Party; but, if even *this* had been the caſe, their conduct would have carried with it its apology, becauſe it was at once natural and excuſable for the *weak* at leaſt to *wiſh*, if not *endeavour* to reſiſt the violence of

the *powerful*. But, the caſe was far otherwiſe: the *powerful* had become a party; and, as a High Church Party, he ſhould conſider them as the worſt Party in the State. Great would prove the misfortune were the Diſſenters to eſtabliſh themſelves into a Party; yet, if they *did*, the moſt politic and the moſt infallible manner of accompliſhing its extinction, was to inveſt them with all the privileges of their fellow-citizens.

Having adverted to parties, it might not prove intruſive upon the indulgent patience of the Houſe briefly to remark that he had been mentioned by ſeveral, with whom *he* was not politically united, as a *Partizan*. According to one ſenſe of the expreſſion, he muſt acknowledge that he gloried in the imputation. He avowed the propriety of it with *enthuſiaſm!* Not that he was influenced by the hereditary virtues, pure, brilliant, and eminently beneficial as they were, which caſt a ray of inextinguiſhable reputation over ſome of the anceſtors of thoſe gentlemen with whom he had the felicity and the honour of aſſociating: the motive of *his* adherence was even of a juſter nature. It aroſe from

from the circumſtance of his having examined, with a moſt attentive eye, the true complexion of their opinions, and every conſequent progreſs and aim of their proceedings: from his having diſcovered that they were ſtrictly and invariably conformable to all thoſe great principles which entered into the deſcription of *Whiggiſm*; a term originally intended to be a ſarcaſm: a mark for ridicule to cover with its arrows; but, expe-perience had fully proved that all their points were hurtleſs! *Whiggiſm* had ſtood the teſt of truth; had riſen into a moſt creditable diſtinc-tion; and, now, ſignified the act of embarking in the cauſe of Civil and Religious Freedom. He was proud of confeſſing himſelf a *Whig*; he rejoiced at being claſſed with ſuch a *Party*, and felt him-ſelf happy in the conviction that they were pleaſed to favour him with their ſupport. For the attempt which he had made, upon the preſent occaſion, he might, perhaps, be ſtigmatized as another *Oliver Cromwell*, wiſhing to undermine the Church, in like manner as, at a former period, he had been compared to the ſame cha-racter, and branded with the charge of having endeavoured to overthrow the Monarchy. In

one quarter from whence it came, the amplitude of the atonement had obliterated from his mind every indignant recollection of an unmerited aſperſion: for, he had been honoured by a ſolicitation to plead the merits of the preſent queſtion. He had moſt cheerfully obeyed the ſummons, from a certainty that the cauſe was juſt; not that he could prove ſo deſtitute of candour as to conceal the ſatisfaction with which he diſcovered that a large and reſpectable body of individuals had become converts to principles which they before ſuſpected. He regarded this as a complete and welcome preſage of the future arrival of that moment when miſrepreſentation would be thoroughly detected; when obloquy would die away; and when thoſe individuals, who were as yet the leaſt open to conviction, would come forward and acknowledge that they were, at length, the moſt convinced. Waiting, patiently, until that day, he could ſubmit, without a murmur, to the unpopularity of the minute, conſoling himſelf under the idea that, in all the great political queſtions which he had, hitherto, ſubmitted to the diſcuſſion of the Houſe, it had been his

good

good fortune, *generally*, to agree in the *opinion*, and, *generally*, to receive the *ſupport*, of all thoſe friends with whom he enjoyed the pleaſure of acting. He uſed the word *generally*, from the perſuaſion that, in the preſent caſe, his ſentiments were not coincident with thoſe of a Right Honourable Member (Mr. Burke) whoſe virtues he venerated, and whoſe abilities he admired: yet, he would enter within the ranks, and maintain his ſtation againſt *any* oppoſers, howſoever he might eſteem and value them, in all other reſpects, during a conteſt for the preſervation of Liberty and the Civil Rights of Mankind.

Reverting more excluſively to the queſtion, Mr. Fox remarked that, ſhould it be loſt or carried, he would continue to affirm that, were the acts againſt which he complained but once repealed, the very name of Diſſenters would die and be forgotten. Should his preſent motion become defeated by a negativing majority, ſtill the Diſſenters might embrace another opportunity of aſſerting their claims, and of ſubmitting the peculiar hardſhips of their ſituation to the wiſdom and to the juſtice of Parliament.

Some

Some of the moſt diſtinguiſhed writers, on the the ſubject, had proceeded to the length of declaring that, as the Legiſlature had paſſed the act, it was the duty of the Diſſenters to ſubmit, in tranquil ſilence, to the law. Amidſt their efforts to give validity to ſo ſtrange a doctrine, they ſtruck (he hoped, not wantonly, but, from an abſence of cool reflection and diſpaſſionate inquiry) againſt the very root of thoſe unalienable privileges which all their fellow-citizens, who might feel themſelves aggrieved by any law, poſſeſſed of carrying their petitions to the Parliament.

He confeſſed himſelf not inconſiderably ſanguine in his expectations, that a large part of the Houſe would agree with him in thinking that this was the proper moment for the repeal of laws which, in their dormant ſtate, ſome narrow-minded zealots might endeavour, dangerouſly, to awaken. That ſuch diſturbers of the public quiet were in being, he could not ſuppoſe: and, therefore, why ſhould any perſons *reſiſt* the abolition of a law which they would bluſh to execute? The Reſtraining Acts had been called the *Pillars of the Church*; but, ſurely,

they

they were *Pillars* more likely to *overwhelm*, than to ſupport the Edifice.

The Admirers of the Teſt Act had contended, as feebly as in their uſe of other arguments, that the Church and State were ſo inſeparably interwoven, that any changes in the one muſt, immediately, be followed by innovations in the other. A moſt eccentric, yet, certainly, a learned and, in ſome reſpects, an able and concluſive Writer (Doctor Warburton) drew forth the whole power of his reaſoning in the defence of this incongruous principle. According to this new-fangled and abſurd opinion, the Church was not to rely ſolely upon her own merits, neither was religion to be eſtabliſhed ſimply upon the truth of her own evidence; but, both were to receive their props and bolſterings from the aſſiſtance of the Civil Power. Was *this* the principle which introduced the *firſt* eſtabliſhment of Chriſtianity? Did it, during a ſtate of infancy, when under the neceſſity not alone of working its way againſt the narrow and infatuated prejudices of mankind, but of ſubduing their violence by the innate purity of its ſpirit, and the winning aſpect of its doctrines,

receive

receive aſſiſtance either from the Roman Emperors, or from the Roman Senate? Shameful was it that any Chriſtian Prelate ſhould have inculcated ſuch an idea. What! appeal from the *Truth* of the *Sacred Writings* to the *Authority* of the *Civil Power!* Religion ſhould remain inſeparable from the Political Conſtitution of a State. Intermingled with it, what purpoſe could it ſerve, except the baneful purpoſe of *communicating* and of *receiving* contamination? Under ſuch an alliance, *Corruption* muſt alight upon the one, and *Slavery* overwhelm the other. The Chriſtian Religion was neither dictated by Politicians, nor addreſſed to Politicians, nor cheriſhed by Politicians. The nobleſt object to which Religion could be directed in a State, and the object for which it was primarily intended, was to influence and correct the morals of the People. Thus far Religion muſt prove eminently beneficial to a State: but, the Corporation and the Teſt Acts might be ſaid to militate againſt Religion, becauſe they were likely to render the Profeſſors of it Hypocrites.

Another Right Reverend Prelate (the Biſhop of Saint David's) now living, whoſe character

ſtood

ſtood eminently raiſed, and from the ſtrength and ſplendor of whoſe talents the Republic of Letters had received agreeable and inſtructive obligations, was reported (and, he feared, upon indubitable authority) preſumptuouſly to have paſſed beyond thoſe boundaries within which it was the duty of the Chief Members of the Church to keep themſelves invariably confined, if they were as anxious as they ought to be to ſhield themſelves from the diſgrace of merited indignation and reproach. The Right Reverend and Learned Prelate had taken a moſt extraordinary part againſt (Mr. Phillips) an Honourable Member of the Houſe; he had ventured to expoſe himſelf to the accuſation of a breach of the privileges of the Commons of Great Britain; and he had haughtily dictated who *ſhould*, and who *ſhould not* be one of their Repreſentatives in Parliament. Nor did he ſtop at this unwarrantable freedom. He had, *indirectly* at leaſt, charged all who voted for the Repeal of the Reſtraining Acts with an "*attempt to overthrow the Eccleſiaſtical Conſtitu-*" *tion*" of the State; and, although he did not *directly* threaten to *anathematiſe* every individual of the Clergy of his Dioceſe, who ſhould dare

to offend againſt *his* high will and pleaſure, yet he had emphatically intimated that he ſhould conſider each of them who refuſed to vote for one candidate (Sir William Manſell), and gave his ſuffrage to another (Mr. Phillips) as *faithleſs* to his ſacred truſt, and criminally remiſs in the execution of one of the duties of his order*.

* *To place this part of the ſubject in the fulleſt point of view, it may be proper to lay before the Reader, the following*

Copy of a Letter from Dr. Horſley, Biſhop of St. David's, to the Clergy of his Dioceſe.

Reverend Sir!

" Sir William Manſell has declared himſelf a Candidate to repreſent the Borough of Carmarthen in the next Parliament. I cannot refrain from declaring, that he has my heartieſt good wiſhes. Mr. Phillips, the preſent Member, has received the thanks of the Diſſenters for the part he took in the late attempt to overthrow our Eccleſiaſtical Conſtitution, by the Repeal of the Corporation and Teſt Acts. By this, it is eaſy to gueſs what part he is likely to take in any future attempt for that purpoſe. I hope I ſhall not have the mortification to find a ſingle Clergyman in my Dioceſe, who will be ſo falſe to his own character, and his Duty to the Eſtabliſhed Church, as to give his Vote to any Man who has diſcovered ſuch principles.

I am, Reverend Sir,

Aberguilly, Your Affectionate Brother,

Aug. 24, 1789. And Faithful Servant,

SAMUEL, St. David's."

Was

Was it by *ſuch* means that the Right Reverend and Learned Prelate *wiſely* deſigned either to prevent the appearance of the ſpirit of party, or to facilitate its extinction, were a conduct ſo unſpeakably antichriſtian, to occaſion it to break out amongſt the Body of Diſſenters? If the Right Reverend and Learned Prelate had *really* felt an inclination to convert the Diſſenters into declared and inveterate enemies to the Church Eſtabliſhment, he could ſcarcely have fixed upon a more ſenſible method to get it gratified; yet, he firmly truſted that, although ſuch malevolent attacks might ſtimulate ſome individuals to hatred, and, perhaps, to hoſtility, the Diſſenters would remain, as he knew that many of them were, not inimical to the Church Eſtabliſhment.

It appeared that ſome offence had been taken againſt a Diſſenting Miniſter (Dr. Price), in conſequence of a ſermon which he preached, on the anniverſary of the Revolution. That Reverend Gentleman had rejoiced over the eſtabliſhment of a new empire in America. If *this* were heinous, *he* ſhould put in *his* claim for condemnation, and plead guilty with ſo celebrated an

 offender!

offender! He had, always, condemned the object of the American war; and if ſubjugation and unconditional ſubmiſſion were the objects, every Engliſhman who foreſaw the effect which ſuch an event muſt have had upon the Conſtitution of Great Britain, would ſay, with *him*, that it was a fortunate circumſtance for both countries that they were ſeparated: And where was the crime of ſuch an expreſſion? Who could gravely aſſert that every part of the Conſtitution, in Church and State, had aſcended ſo nearly to the ſummit of perfection, that no change could, poſſibly, be introduced for the better? But, the Reverend Gentleman had carried the intermixture of his *religious* and *political* opinions into remarks concerning the Revolution in France; and theſe were parts of what ſhould have been a ſtrictly appropriated, grave, and ſolemn congregational diſcourſe. In ſeveral of theſe ſentiments he perfectly agreed with the Reverend Gentleman; but, he conceived that he had not choſen the moſt unexceptionable time and place for their delivery. They would have appeared in a more becoming province, had they formed the arguments of a ſpeech uttered in a Houſe of Parliament: and, ſurely, the Church, the Pulpit,

Pulpit, the Altar, and the Sacramental Table ought to be preſerved inviolably pure and holy, for the ſole great purpoſe of inculcating Religion and Morality. He ſhould always reprobate, whether it came from the lips of a Churchman or of a Diſſenter, the delivery of that ſermon which any preacher might preſume to make the vehicle of politics; and, with ſtill greater indignation, ſhould he liſten to it, were the language of perſonal libel brought forward as a digreſſion from the chief and more important ſubject of his arguments. He could not, however, in juſtice, drop the mention of thoſe points, without obſerving that many paſſages in the diſcourſe to which he had alluded, breathed all the ſpirit of benevolent and truly-cultivated philoſophy: of thoſe feelings which, riſing ſuperior to the ſelfiſhneſs of local attachments, induce a Citizen of the World to glory in the Freedom and the Happineſs of the Human Race!

For his own part, he flattered himſelf that the Houſe would, candidly, believe that the Syſtem which he aimed to ſupport, was not, merely, the Syſtem of *General Toleration*, but, that Syſtem the

the great object of which was the Security of the Univerſal Rights of Human Nature. Whilſt he contended for the latter, he truſted that he fulfilled one part of his duty, as a Member of the Eſtabliſhed Church of England: a Church which he admired, under a conviction that She had ſteered the happieſt courſe between the two extremes; rejecting whatſoever was ſuperſtitious, but, retaining whatſoever was good in the Church of Rome, and decent in the performance of Divine Service. Thus venerable did She appear to him when he reflected upon her Doctrine and her Liturgy. But, *this* appearance vaniſhed, or, at leaſt, it underwent a tranſient concealment, when becoming a *Political Party* in the State, She ſuffered herſelf to be borrowed for purpoſes incompatible with her Dignity and the Sanctity of her Principles. That *all* her Members might fully merit a participation in the juſt Freedom which She enjoyed, he would adviſe them to yield cheerfully to the Extenſion of the Principles of Toleration to thoſe who were not of their own perſuaſion; and he would beg leave to aſſure them that, ſhould any attempt be made to infringe either upon their Liberty,

or their juſt Privileges and Claims, and they did *him* the honour to chooſe him for their advocate, he would ſtand forward, not leſs willingly the Champion of that Liberty, thoſe Privileges and thoſe Claims, than, at the preſent juncture, he had addreſſed the Houſe in favour of the Diſſenters.

Mr. Fox now moved: That the Houſe do immediately reſolve itſelf into a Committee of the whole Houſe, to conſider of ſo much of the ſaid acts as requires perſons before they are admitted to any office, civil or military, or any place of truſt under the Crown, to receive the Sacrament of the Lord's Supper, according to the rites of the Church of England.

Mr. FOX having heared the various arguments of the Members who ſpoke againſt his motion, roſe a ſecond time; and

Remarked that, although ſinking under fatigue, and too deeply ſenſible of the patience with which the Houſe had, condeſcendingly, received his firſt inveſtigation of the ſubject, throughout

throughout a more than uſual length of reaſoning, to treſpaſs, could he avoid it, upon their attention, at ſo late an hour, he felt it impoſſible to meet, in ſilence, the obſervations of thoſe by whom he was exceedingly miſunderſtood. A Right Honourable Gentleman (Mr. Pitt) doubtleſs, not deſignedly, but, in conſequence of the inaccuracy with which he himſelf might have, perhaps, ſtated his own ideas, ſeemed far from having entertained a clear and juſt conception of their nature. *He* had contended that it was *improper* to deduce inferences repugnant to the profeſſions of men, unleſs their conduct and theſe profeſſions militated againſt each other; but, the Right Honourable Gentleman had argued, as if it were *proper* to draw concluſions from our opinions of the individuals whom we oppoſe, inſtead of waiting to diſcover whether the ſentiments which they declared were contradicted by their actions. Aware of the argument adduced by the Right Honourable Gentleman, in the courſe of the preceding ſeſſion, and of thoſe points upon the validity of which he had ſo much inſiſted, *he* opened the debate by laying down the Principle of Toleration as oppoſed to

the

the Principle of Perſecution; and *this* he did, with the view of meeting the objection which he foreſaw, that the Right Honourable Gentleman would certainly bring forward. He had reaſoned, that *if* the Principle of Perſecution, according to its *general* acceptation, was originally a true principle, it might operate even ſo far as to fix the idea of a *charitable* intention upon the maſſacre, under Charles the Ninth, at Paris, the murder of the Hugonots, and the execution of the Proteſtants, in Smithfield. This was ſo glaring an evidence of the erroneous abſurdity of the original Principle, that he relinquiſhed it in the very moment of having demonſtrated the extent to which it could be carried; and *then* argued upon the ground of Toleration; perfectly conſcious, however, that although the repeal of the Reſtraining Acts was a debt of juſtice, which the State indubitably owed to the Diſſenters, it could not, *fairly*, fall under the Principle in queſtion.

The Right Honourable Gentleman had obſerved, that when Members of Parliament, and all perſons appointed to particular offices, took an oath, they ſubmitted, whatever might be

their perſuaſion, to a Teſt; and they made a *religious appeal*. But, ſurely, the Right Honourable Gentleman could never mean to contend, that if individuals, whoſe codes of faith varied from each other, were told to ſubmit, if they meant to obtain employments, to *one* Sacramental Teſt, the ſpirit of intolerance did not ariſe in oppoſition to their temporal advantages. True it was, that in taking an oath, every man *appealed* to *religion*. But to what *religion?* To his *own*. The Mahometan was ſworn upon the Koran; the Jew upon the *Old*, and the Proteſtant upon the *New* Teſtament; while the Quaker, not leſs awfully, and beyond a doubt, with equal propriety, only made his Affirmation. Thus, *that religion* was applied to which became conſidered as the moſt inviolable bond for the ſincerity of the perſon to whom the oath was tendered. So far as to the analogy between the Teſt Act and the mode of taking oaths: a ſubject which he could not, however, diſmiſs, without remarking, that the Diſſenters did not, at preſent, enjoy Toleration, even in the meaning which had been given to the word by its oppoſers.

An Honourable Baronet (Sir William Dolben) had

had felt it neceſſary to advance, as the Champion of the Clergy, and to defend them from an *imaginary* attack within a quarter, where, *hitherto*, they had not been aſſailed. Did the Honourable Baronet conſider it as the commiſſion of hoſtilities, when he cenſured the proceedings of the Church, alluſively to the period whilſt it acted as a Party? Was it to be conſtrued into a declaration of open war againſt the Eccleſiaſtics, if he repeated his aſſertion that the principles and the meaſures of thoſe who formed the *High Church Party* were inimical to the Conſtitution, and to the civil rights of all their fellow-citizens and of ſociety? The Honourable Baronet could have ſpared the violence of his cenſure, and ſaved himſelf the trouble of entering upon an elaborate, but needleſs vindication of the Clergy, by remembering that he did not ſtrike at them *collectively*. The blow, if it deſerved the name, was levelled againſt a *Party*. As to the Clergy of what was denominated the *Low Church*, it were injuſtice to deny that many of them had proved themſelves not merely irreproachable Members of the Community, but diſtinguiſhed Inſtruments of the accompliſhment of the Revo-

lution, and the Eſtabliſhment of Civil and Religious Freedom. Amongſt theſe he was convinced that ſeveral were well-wiſhers to his motion. Of the Clergy, in *general*, he ſhould obſerve, as the Honourable Baronet had thought proper to draw him back into the ſubject, that, in *his* humble eſtimation, they were like the reſt of mankind: ſome more, ſome leſs reſpectable than others; yet, when he paid this tribute to their deſerts, he did not mean to qualify his expreſſions, or to retract the declaration that, viewed in the light of a *Political Party*, they were the moſt dangerous and formidable; becauſe they were the very worſt.

Againſt the Honourable Gentleman (Mr. Powys) who had complained that the two Acts were blended together; and remarked that, in *his* opinion, they were well worthy to have been made objects of diſtinct diſcuſſion, becauſe they ſtood on different grounds, he ſhould beg leave to contend, that the ſubject of each was ſo cloſely connected and involved, that they naturally preſented themſelves as more fit for inveſtigation and deciſion together. Granting, however, merely for the ſake of argument, that it could

be

be proper to examine them ſeparately, it would follow, that in a conſtitutional point of view, the Corporation Act was the moſt important, inaſmuch as the reſtriction of the *Subject* in the exerciſe of a natural right, ought to be watched in that Houſe, with infinitely more jealouſy than the reſtriction of the *King*, in any part of the exerciſe of his prerogative.

He muſt, now, proceed to points, concerning which he could not ſpeak without an agitation of mind and heart, which it was ſcarcely poſſible for any language to deſcribe: he muſt anſwer what he had heared with *grief* and *ſhame*; he muſt relinquiſh one of the moſt pleaſing enjoyments for one of the moſt painful of all predicaments; and he muſt be reduced to the neceſſity of reſiſting the arguments of that Right Honourable Friend (Mr. Burke) whoſe political ſentiments had, until lately, ſo perfectly coincided with his own, that he could not have conceived it within the power of events to render them diviſible. From *him*, had he acquired the beſt part of his political knowlege: by him had he been inſtructed in the formation of his political principles: and it was ſome little conſolation,

lation, under this afflicting diſunion of opinions, to know that there was not a ſingle fundamental outline which he had laid down that his Right Honourable Friend had not, in the courſe of his ſpeech, avowed. He greatly feared that the only proof which could be deduced from the declaration of his Right Honourable Friend that, ten years ago, he would have voted in favour of the queſtion, was that, *he* had retained his opinion on the ſubject ten years longer than his Right Honourable Friend. For his own part, at the very outſet of his remarks, he had ſtated his Principles, and argued in conſequence of an application of the inferences deducible from their nature. But, the ſpeech of his Right Honourable Friend, even amidſt all the beautiful embelliſhments of eloquence, and all the faſcinating power of declamation, which no orator had more abundantly under abſolute command than himſelf, flowed chiefly from pamphlets, rumours, anecdotes, invectives, and ſuſpicions.

His Right Honourable Friend had obſerved, that a *hint* of the uſe to which the wealth of our Church might be appropriated, had been thrown

thrown out, during the proſecution of the American war, by a Noble Duke (of Richmond) in the Houſe of Lords, when he ſaid to a Prelate, who had juſt ſpoken in ſupport of the continuance of hoſtilities againſt the Coloniſts, that, as money *muſt* be raiſed for ſuch a purpoſe, even after the expenditure of many uſeleſs millions, the Country knew to whom they might reſort for a ſupply; and, therefore, it behoved the Biſhops to take care what line of conduct they purſued. Theſe *ſuppoſed* intimations had been ingeniouſly turned by his Right Honourable Friend into a ſuggeſtion which he conceived that the Diſſenters might, with the aid of a *freſh hint* from their advocates, improve upon, and, thence, induce the mob to view the wealth of the Church as a more tempting and valuable object than the bribes of Candidates at a conteſted Election. His Right Honourable Friend would pleaſe to aſcribe it to his want of penetration, when he, ſeriouſly, declared, that he could not diſcover the leaſt analogy between the circumſtances related of the Noble Duke, and any arguments which may have been advanced in the ſupport of the alleged propriety of the preſent

preſent motion. Yet, after all, perhaps, the fertility of the imagination of his Right Honourable Friend, added to that diſpoſition which conſiders the very idea of injuſtice and oppreſſion with horror, and which rejoices in mercy and benevolence, might have led him into miſtakes: might have hurried him, amidſt the glowing influence and rapid impulſe of too violent a ſuſceptibility, into a dereliction of his former principles. It was from what he *once* conſidered as tyrannical *Intolerance* that he, now, appeared to draw all his ideas concerning *Toleration*. Even the vigorous mind of his Right Honourable Friend had yielded, without a *cool* reſiſtance, to the humane, but falſely overflowing emotions of his heart; and, thus, precipitated into confuſed and erroneous ideas, he did not examine, in their proper light, the late occurrences at Paris. Had the antient deſpotiſm of France continued to the preſent day, he was perſuaded that his Right Honourable Friend could not have ſpoken of its horrible effects without a ſpirited and virtuous indignation: *he*, firſt of *all* others, would have ſtood up to lament over the miſeries of her ſubjects:

he

he who, having raiſed within his agitated mind the phantoms of the bleeding Nobles and the ruined Eccleſiaſtics of a wretched Country, could not bring his natural judgment into the extenuating concluſion that the anarchy and the calamities which he deplored, would vaniſh in the very inſtant that the ſettlement of the new Conſtitution ſhould ceaſe from working. For his own part, no perſon could leſs approve than himſelf of the officious and unbecoming interference of Divines of any Deſcription, whether Churchmen or Diſſenters, in the buſineſs of the Election of Repreſentatives to ſerve in Parliament; but, it excited his ſurpriſe to find that the objections againſt the Diſſenters having ventured to aſſure thoſe Members, who were well affected to Religious and to Civil Liberty, that they would give them their ſupport, ſhould come from the other ſide of the Houſe, where not leſs than three Honourable Gentlemen, who ſpoke in the debate, had altered their opinions, ſince the laſt diſcuſſion of the queſtion, one of them not deigning to aſſign any other reaſon than that this queſtion had ſhifted hands, and that he had the honour of introducing it, and

the two others acknowledging that they were, in their own minds, friendly to the queſtion; but, that in neceſſary obedience to the inſtructions of their Conſtituents, they felt themſelves *bound* to meet it with their oppoſition. Surely, this was a *Teſt* forced upon *them* as violently as the Diſſenters had been accuſed of attempting to urge *their Teſts* againſt Candidates for ſeats at the next General Election. Little had he expected that one Honourable Gentleman (Mr. Martin) could have been ſo totally in awe of dictates as to have offered them the ſacrifice of his former ſentiments; nor could he refrain from aſtoniſhment when he perceived that another Honourable Gentleman (Mr. Wilberforce) was become a convert to *new* opinions, without adducing one ſingle argument in favour of his recantation. The Conſtituents of the firſt Honourable Member (Mr. Martin) who had ſo abſolutely directed him to vote againſt the repeal of the Reſtraining Acts were, certainly, *not* Diſſenters. No! *They* rather conſtituted the *Church Party*, who (inſtead of the Diſſenters) choſe to ſubvert ſome of the moſt invaluable privileges of Election. The ſingularly

larly unfortunate caſe of this Honourable Gentleman might *almoſt* juſtify a wiſh to have no Churchmen for Conſtituents. It ill accorded with the happier lot of another Honourable Member (Mr. Tierney) who repreſented a Borough (Colcheſter) in which were ſeveral hundreds of Diſſenters, *his* Conſtituents; and who, in the progreſs of the debate, had the liberality to riſe for the purpoſe of reſcuing them from the unmerited imputation of forcing any *Teſt* upon him, by declaring that they had aſſured him that they did not wiſh that he ſhould vote in favour of the repeal, if the points of view in which *he* might have conſidered ſuch a meaſure were objectionable. Thus, they left *his* ſuffrages to his conſcience; whilſt the Church Party Electors of Tewkeſbury endeavoured to put the conſcience of *their* Honourable Repreſentative out of the queſtion, and ſignified their *pleaſure* that *he* ſhould vote *againſt* his ſentiments! How powerfully did the inſtances of the evening not merely *refute* the argument that the conduct of the Diſſenters was highly improper, "*becauſe they had impoſed a* Teſt *upon* "*their Conſtituents*, but, *ſupport* the oppoſite

inference, that the mandates of the Church Party were cenſurable in the extreme!

His Right Honourable Friend (Mr. Burke) whilſt he laviſhed his encomiums upon the acknowledged literary talents of a celebrated Diſſenter (Doctor Prieſtley) had choſen to deſcribe this Reverend Gentleman as having *ſeriouſly* indicated a determination to proceed, ſtep by ſtep, until the whole of the Church Eſtabliſhment ſhould become levelled to its foundations. His Right Honourable Friend muſt give him leave to ſtem the torrent of this alarming charge, and plead that too violent a ſtreſs appeared to have been laid upon the language in which this Reverend Gentleman had obſerved that he *diſliked* the Church Eſtabliſhment. Was it *criminal* for any perſon whatſoever to make a manly declaration that he *diſliked* a part of either our Religious or our Civil Conſtitution, provided that he did not attempt to bring his ſentiments into pernicious action? If this were guilt, *he*, alſo, deſired to be conſidered as a participator of the enormity.

His Right Honourable Friend had, certainly, not ſtationed himſelf upon one of the moſt impregnable

pregnable grounds of argument, when he choſe to mention the letter of a Mr. Fletcher. This Gentleman (a Diſſenter) had ſtated that, at a meeting of his Brethren, holden at Bolton, in Lancaſhire, ſuch violent principles were avowed that he would not remain in the room, but came away with other *moderate* individuals of his own perſuaſion. If ever there was a paper which preſented, beyond all others, a more ſtriking and unanſwerable plea in favour of the queſtion, the letter of Mr. Fletcher was that very paper. It was the firſt time that he had heard of the conduct or even of the name of *this* Gentleman; but, he would venture to affirm, that if any argument merited a reliance, it was that which *he* had urged, as being eſſential towards proving that ſuch of *his* Perſuaſion, as deſerved well of the Legiſlature, were entitled to its favour; and ought to be conſidered as diſtinct and ſeparated from thoſe others who were not inclined to remain contented with the Repeal of the Teſt and Corporation Acts. If he might take the liberty to point out the road which it could not diſgrace the Houſe to follow, he would adviſe them to receive directions from his

Right

Right Honourable Friend, whom he recollected to have acquired much applauſe, in a debate concerning the proſecution of the war againſt America, when he introduced a propoſition, which, at the firſt glance, ſeemed abſolutely paradoxical, although founded upon ſubſtantial and enlightened policy. The point particularly in queſtion was, a diviſion of Maſſachuſett's Bay from the Province of New York, and from other Provinces. His Right Honourable Friend exclaimed againſt the idea of a ſeparation, the weak and ridiculous drift of which was to *divide* in order to *govern*. To *this* he declared that no conſideration ſhould induce him to ſubmit; but, he would do *more:* he would agree to *divide* America. Conceiving that a moſt entertaining blunder had fallen from his Right Honourable Friend, the Houſe became convulſed with laughter; but, he ſoon corrected their miſtake, and rivetted their ſerious attention and applauſe, when he remarked that he *would* divide America; not, indeed, by diſuniting the Province of Maſſachuſett's Bay from other Provinces, but, by maintaining a military force within the actively-diſaffected Provinces, and preſerving thoſe which manifeſted

manifeſted their loyalty; not by *coercion*, but by granting to them all the juſt rights and conſtitutional advantages which they had ſhewn themſelves deſirous of enjoying. In the preſent inſtance, let the Houſe adopt ſo ſalutary and ſo wiſe a meaſure: let them *ſeparate* the Diſſenters, diſſolve their bond of union; become regardleſs of the unreaſonable; and yield to the requeſts of all thoſe who *(like Mr. Fletcher!)* were diſtinguiſhed by their exceſs of *moderation*.

He diſcovered, with concern, that unfair inferences had been drawn from his remark, that he believed, that were the Houſe to grant the preſent application of the Diſſenters, they would ceaſe to trouble them with more intreaties for the extenſion of indulgence. He did not ſtart from this opinion, howſoever wiſhing to have it perfectly underſtood, that none of the Diſſenters had impowered him to offer ſuch a pledge on *their* authority: and, indeed, when he conſidered the diſingenuous manner in which, during the courſe of the debate, ſome Honourable Member had availed themſelves of the aſſurances made, not many years before, by the Diſſenting Miniſters, he ſhould not feel induced to bind himſelf

ſelf upon the ſtrength of any authority whatſoever. The Houſe, therefore, would pleaſe to conſider themſelves, in this particular caſe, as only poſſeſſed of *his* ſpeculative opinion, to which they could lend juſt as much credit as they might think proper.

For the purpoſe of ſeducing the Houſe into the idea that, from the *profeſſions* of the Diſſenters, it was difficult to judge with what compliances they would remain contented, or to what lengths they might endeavour, at ſome future period, to proceed, a Right Honourable Gentleman (Mr. Pitt) had obſerved, that one of their moſt diſtinguiſhed Members (Dr. Kippis) remarked, in his letter, publiſhed on a particular occaſion, that the Diſſenters only ſought for a Toleration, with regard to the point *then* in queſtion; and that *this* being granted, they would not ſolicit any other conceſſion from the Legiſlature, but retire ſatisfied to their cloſets and to their ſtudies: yet, the Right Honourable Gentleman would pleaſe to recollect, that the application for the Bill which paſſed, at the period to which he alluded, in favour of Diſſenting Teachers and School-maſters, came *ſpecifically* from the Diſ-

ſenting

ſenting *Miniſters*, who, even granting that they had declared that they would apply *no more*, for *themſelves*, could not, with any colour of juſtice, be conſidered as having *precluded* themſelves from the right of joining with a Diſſenting *Laity*, in the application for the purpoſe of obtaining a *general* relief; and it was only *this* right which they had, *now*, preſumed to exerciſe.

To ſtimulate the Houſe to caution, under the preſent circumſtances, they had been *moſt pathetically* called upon to remember the riots in the year 1780, and the public calamities which were then likely to have enſued, under the blind and infatuated idea, entertained by the mob, that they were acting for the defence of the *Eſtabliſhed Religion*, when they attempted to enforce the moſt intolerant *perſecution*; when they had nearly levelled the Conſtitution in Church and State; when they had ſelected the Judges and the Biſhops for the peculiar objects of their vengeance; when they had ſurrounded that Houſe; and when they excited the moſt violent alarm, leſt, by the demolition of the Bank, the national credit ſhould have been annihilated for ever. In this affecting imagery of language,

had his Right Honourable Friend, in ſome degree, endeavoured to aſſimilate the paſt occurrences with the preſent; and *thus* did he exclaim: Beware! He recollected the laudable and the ſpirited behaviour of his Right Honourable Friend, during the tumults and the devaſtations of that diſgraceful period: he had not forgotten that, with the nobleſt ardour of a virtuous intrepidity, his Right Honourable Friend, bidding defiance to the ungovernable frenzy of a miſguided rabble, perſevered in the purpoſe which then occupied the attention of the Houſe, and pleaded for the bleſſings of Toleration in favour of the Roman Catholics: but, let his Right Honourable Friend remember, alſo, in *his* turn, and he would not find himſelf at a loſs to diſcover, by looking back upon thoſe unfortunate days to which he had alluded, that according to the arguments in the preſent caſe, the Clergy of the Eſtabliſhed Church ſtood in the ſhoes of the Mob, and the Diſſenters in thoſe of the poor perſecuted Roman Catholics. As to himſelf, he ſhould always remain prepared, upon the principle of Tolerance, to ſupport Proteſtants, Diſſenters, or Roman Catholics.

The

The Mob, in 1780, ſhamefully inſiſted *upon* the repeal of a *ſalutary* law: and the Mob of the *High Church* now, *inſiſted againſt* the *repeal* of a *prejudicial* law. If there were any Members in that Houſe who beheld unprincipled Mobs with horror, ſo did *he: his* indignation was equal to *theirs*; and to *him* the *cry* of a Mob was *conſtantly* the ſame; and whether it iſſued from a Mob of Gentlemen, or a Mob of Biſhops, or a Mob from Newgate, it proved equally odious to *him*; for, it was, always, the *cry* of either fanaticiſm, or prejudice, or ignorance!

His Right Honourable Friend (Mr. Burke) had intimated his fears leſt, by granting to the Body of Diſſenters the indulgences of a repeal, their eagerneſs would be ſharpened for greater claims and more unconſcionable exactions. Anxious to relieve *his* mind from apprehenſions of ſuch an apparently groundleſs nature, he would intreat him to think favourably of his opinion, that the Repeal might prove the moſt certain prevention againſt other ſolicitations; becauſe, were it to paſs, numbers of the Diſ-

ſenters would view the meaſure with the *fulleſt* ſatisfaction; and, therefore, perhaps, refuſe their ſupport to thoſe who ſhould inconſiderately aſpire at acquiſitions as needleſs as they might prove unmerited. On the preſent occaſion, he felt it difficult to give credit to what he heared, although uttered in a quarter where he had been long accuſtomed to receive each obſervation almoſt with an implicit confidence; and, howſoever diſtinctly particular expreſſions might have reached him, he wiſhed it poſſible to reſiſt the teſtimony of his ſenſes, and not ſuppoſe that his Right Honourable Friend had aſſerted that the very being of the Church was in danger, becauſe *two* perſons (Doctor Robinſon and Mr. Palmer) had written and publiſhed for the uſe of the young Nonconformiſts, what he had deſcribed as "*Catechiſms of Miſanthropy, Anarchy, and Con-*"*fuſion!*" Where was the inflexible and judicious liberality of his Right Honourable Friend, when he could yield to *Intolerance* againſt the *whole* Body of Diſſenters, becauſe a *moſt inconſiderable part* had differed from him in their *ſpeculative* opinions? The doctrine which could inculcate

cate diſlike againſt a *multitude*, becauſe a *very ſmall number* of the individuals who compoſed it might ſeem exceptionable, was ſo fallacious and unjuſt, that barely to recite it would prove a treatment ſufficiently ſevere!

Having, again, apologized not only for the unavoidable length, but, for the repetition of his intruſion upon the attention of the Houſe, Mr. Fox concluded by remarking that he could not venture to pronounce whether the queſtion would ſtop, or proceed, in any other ſhape, beyond the diſpoſal of *his* motion; but, if an end to further application was *ſeriouſly* deſired, the ſureſt way to its attainment muſt be to grant what the Diſſenters could have claimed on principles of *right*. At preſent, they experienced thoſe inconveniences which were deſigned only for the Papiſts; and no circumſtances could tend ſo much to preſerve them in a bond of *ſtedfaſt* union, as a refuſal to redreſs their grievances. If their Confederacy was dreaded, it might be vanquiſhed by the overpowering Spirit of Toleration! Toleration *ſhould* come in either one Form or another; but, it was not poſſible for it to

appear

appear ſo pleaſing as when arrayed in Juſtice and Benevolence!

The Houſe, now, divided.

Ayes	—	105
Noes	—	294
Majority		189

FINIS.

BRITISH MUSEUM 23 JY 79